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UNITED STATES MAGISTRATE COURT

SOUTHERN DISTRICT OF CALIFORNIA

(HONORABLE ANTHONY J. BATTAGLIA)

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANTONIO CALDERA-AGUIRRE,

Defendant.

Case No. 08cr1307-BEN

**JOINT MOTION TO CONTINUE CHANGE OF
 PLEA HEARING**

TO: KAREN P. HEWITT, UNITED STATES ATTORNEY;
 CALEB MASON, ASSISTANT UNITED STATES ATTORNEY

IT IS HEREBY REQUESTED by the parties in the case, the defendant, Antonio Caldera-Aguirre, by and through his counsel, David M.C. Peterson, Esq., Federal Defenders of San Diego, Inc., and United States of America by Caleb Mason, Assistant United States Attorney, that the change of plea hearing in the above entitled case scheduled for Tuesday, May 6, 2008 at 1:30 p.m., be continued to Tuesday, May 20, 2008 at 1:30 p.m., or as soon thereafter as counsel may be heard. Undersigned defense counsel called the court's judicial assistant to obtain the new motion hearing date. A proposed order with respect to this joint motion is being submitted directly to the court via efile_battaglia@casd.uscourts.gov.

Respectfully submitted,

Dated: April 30, 2008

/s/ David M.C. Peterson
DAVID M.C. PETERSON
 Federal Defenders of San Diego, Inc.
 Attorneys for Mr. Haynes

Dated: April 30, 2008

/s/ Caleb Mason
CALEB MASON, Assistant U.S. Attorney

CERTIFICATE OF SERVICE

Counsel for Defendant certifies that the foregoing is true and accurate to the best information and belief, and that a copy of the foregoing document has been caused to be delivered this day upon:

Courtesy Copy to Chambers

Copy to Assistant U.S. Attorney via ECF NEF

Copy to Defendant

Dated: April 30, 2008

/s/ DAVID M. PETERSON
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